PLANNING DECISION

Ref: MC2006/0093

NCF 8/5/06.

Development and Transport Division
Regeneration and Development Directorate
Medway Council
Compass Centre
Chatham
Kent ME4 4YH
(DX56006 STROOD)
Telephone: 01634 306000
Facsimile: 01634 331195
Minicom:01634 331300

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (General Development Procedure) Order 1995

App's Name: Persimmon Homes (South East) Limited

Mr G Flintoft
Barton Willmore Planning Partnership
35 Kings Hill Avenue
Kings Hill
West Malling
Kent
ME19 4BW

Proposal: Reserved matters application for phase 1 relating to external appearance, siting, landscaping and design pursuant to outline planning consent MC2004/0063 for the construction of 147 dwellings and associated open spaces

Location: *Medway Gate (former Cuxton Pit No 3), Cuxton Road, Strood, Rochester,* Kent.

NOTIFICATION OF GRANT OF PLANNING PERMISSION TO DEVELOP LAND.

Take Notice that Medway Council in pursuance of its powers under the above Act HAS GRANTED PERMISSION for the development of land as described above in accordance with your application 24th January 2006

SUBJECT TO THE CONDITIONS SPECIFIED HEREUNDER

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason 1. To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

PLANNING DECISION

Ref: MC2006/0093

2. Details and samples of any materials to be used externally and any means of enclosure shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and development shall be carried out in accordance with the approved details.

   Reason 2. To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

3. None of the buildings hereby permitted shall be occupied until underground ducts have been installed by the developer to enable telephone, electricity and communal television services to be connected to any premises within the site without recourse to the erection of distribution poles and overhead lines and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting that Order), no distribution pole or overhead line shall be erected within the area except with the express written consent of the Local Planning Authority.

   Reason 3. To ensure all services are provided underground in the interests of visual amenity of the area.

4. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include schedules of plants and plant sizes, etc; and an implementation programme.

   Reason 4. To accord with the provisions of Section 197 of the Town and Country Planning Act 1990 and to ensure that the development does not prejudice the appearance or character of the site and the locality.

5. All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. The approved planting stock shall be maintained for a minimum period of five years following its planting and any of the stock that dies or is destroyed within this period shall be replanted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

   Reason 5. To accord with the provisions of Section 197 of the Town and Country Planning Act 1990 and to ensure that the development does not prejudice the appearance or character of the site and the locality.

6. Plans and particulars in relation to the trees on the site shall be submitted to and approved in writing prior to the commencement of the development. These details shall include:

PLANNING DECISION

Ref: MC2006/0093

a) A plan showing the location of and allocating a reference number to each existing tree on site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

b) details of the species, diameter (measured in accordance with paragraph a) above, and the approximate height and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs c) and d) below apply;

c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site within a distance of 5 Metres from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree;

e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this Condition "retained tree" means an existing tree which is to be retained in accordance with paragraph a) above.

The subsequently approved details shall be implemented within a time period to be agreed in writing by the Local Planning Authority and thereafter maintained.

Reason 6. To accord with the provisions of Section 197 of the Town and Country Planning Act 1990 and to ensure that the development does not prejudice the appearance or character of the site and the locality.

Your attention is drawn to the following informative(s):-

The proposals the subject of this planning application have been considered under the provisions of the Kent Structure Plan 1996 (Structure Plan) and the Medway Local Plan 2003 (the Local Plan), most particularly Policies S1, S2, S9, ENV1, ENV15, RS 1, RS 5 and T18 of the Structure Plan and Policies S1, S2, S6, BNE1, BNE 2, BNE25, BNE 36, BNE 37, BNE39, H1, H3, T1, T2 and T13 of the Local Plan, and having regard to the proximity to neighbouring properties and the siting, design and appearance of the proposed new development, the submitted application is considered to be in accordance with the above mentioned Development Plan Policies.

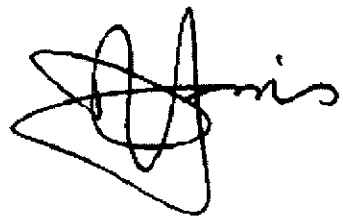
PLANNING DECISION

Ref: MC2006/0093

The development of this site is also subject to and pursuant to the conditions and Section 106 Agreement related to outline planning permission MC2004/0063 (mixed-use development). The conditions and Section 106 Agreement related to planning permission MC2004/0058 (Engineering operations for regrading of land levels within the former chalk quarry) also apply.

For the avoidance of doubt, this decision relates to the development as shown on drawing number(s) 1935-GMP-01 Received on 19/12/2005 and drawing number(s) A3760/2.1/01; 02 Rev B; 03 Rev A; 05 Rev B; 05A Rev F; 06 Rev A; 07 Rev A; 11 Rev A; 12 Rev A; 13 Rev A; 22 Rev A; 23 Rev A; 25 Rev A; 26 Rev A; 27 Rev A; 28 Rev A; 29 Rev A; 30 Rev B; 31 Rev B; 32 Rev B; 33 Rev B; 34 Rev A; 35 Rev A; 36 Rev A; 37 Rev A; 38 Rev A; 39 Rev A; 41 Rev B; 42 Rev B; 43 Rev A; 44 Rev A; 45 Rev A; 46; and 47 received on 24 January 2006 and additional document(s) being form 1, design statement, planning statement, soft landscaping & play areas design strategy received 19 December 2005 and agents letter received on 24 January 2006.

Signed



David Harris
Development Control Service Manager
Date of Notice 8th May 2006

(MREF/MARM)